



06/05/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 53(b)**

Pursuant to 37 CFR 1.53(b), please file a ☐ continuation/☒ divisional
of the pending prior PATENT APPLICATION of:

Inventor: MAERTENS et al

Serial No. 09/638,693

Filed: August 15, 2000

For: **NEW SEQUENCES OF HEPATITIS C VIRUS GENOTYPES AND THEIR USE OF
THERAPEUTIC AND DIAGNOSTIC AGENTS**

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):
Inventor(s): MAERTENS et al

- ☒ Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.
- ☒ Priority is hereby claimed under 35 USC 119 based on the following foreign applications, the entire content of which is hereby incorporated by reference in this application:

<u>Application Number</u>	<u>Country</u>	<u>Day/Month/Year/Filed</u>
93.401 099.2	Europe	27/April/1993
93.402.019.9	Europe	05/August/1993
PCT/EP94/01323	International	27/August/1994
<input checked="" type="checkbox"/> already filed in PCT/EP94/01323		filed April 27, 1994

- ☒ The prior application is assigned to N.V. INNOGENETICS S.A..
- ☒ Power of Attorney has been granted to B. J. Sadoff et al, Reg. No. 36,663 of Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

- ☒ Please amend the specification by inserting before the first line --This is a divisional of application Serial No. 09/638,693, filed August 15, 2000, which is a Continuation of application Serial No. 08/362,455, filed January 11, 1995, allowed, which was a 371 application of PCT/EP94/01323, filed April 27, 1994, the entire content of which is hereby incorporated by reference in this application.--

- ☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.

- ☒ Please enter the **attached and below** preliminary amendment prior to calculation of filing fee:

- ☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

- ☒ Also attached: ☒ **Information Disclosure Statement**, PTO-1449; ☐ **Non-Publication Request**; ☒ **Other**:

Request re: Computer Readable copy of Sequence Listing

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee		\$	710.00
Total effective claims	34 - 20 (at least 20) = 14	x \$ 18.00	\$ 252.00
Independent claims	4 - 3 (at least 3) = 1	x \$ 80.00	\$ 80.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)			\$ 0.00
		SUBTOTAL	\$ 1042.00
If "small entity," then enter half (1/2) of subtotal and subtract		\$(0.00)
		SECOND SUBTOTAL	\$ 1042.00
Assignment Recording Fee (\$40.00)		\$	0.00
		TOTAL FEE ENCLOSED	\$ 1,042.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 

1051 U.S. PTO
09/873224
06/05/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MAERTENS et al

Atty. Ref.: 2752-45

(Divisional of Serial No. 09/638,693)

Group: Unassigned

Serial No. Not Yet Assigned

Filed: June 5, 2001

Examiner: Unassigned

For: NEW SEQUENCES OF HEPATITIS C VIRUS
GENOTYPES AND THEIR USE OF
THERAPEUTIC AND DIAGNOSTIC AGENTS

* * * * *

June 5, 2001

Assistant Commissioner for Patents
Washington, DC 20231

REQUEST

Sir:

The Patent Office is requested to use the computer readable form of the Sequence Listing from the grand-parent Application No. 08/362,455, which was also requested to be used in the parent Application No. 09/638,693, for the present application. The attached paper copy of the Sequence Listing is the same as the computer readable form of the Sequence Listing submitted in the grand-parent Application No. 08/362,455 which was requested to be used in the parent Application No. 09/638,693. No new matter has been added.

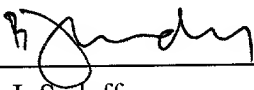
It is the undersigned's understanding this Patent Office will make any formal changes required in the Sequence Listing to identify the present application. The Office is requested to contact the undersigned, however, if anything further is required in this regard.



09/873224

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
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Reg. No. 36,663

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09/638,693